

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**NICOLE WALLACE**  
**Individually**  
**And on behalf of all**  
**similarly situated persons**

## Plaintiffs

**V.**

**SHELDON J. FINKEL, DDS**

**Defendant.**

**Case No: 2:06-CV-5**

## REPORT OF PARTIES' PLANNING MEETING

1. **Appearances.** Pursuant to Fed. R. Civ. P. 26(f), a meeting was held via telephone on February 24, 2006, between the following participants:

Andy Nelms  
The Law offices of Jay Lewis, LLC  
Attorney for Plaintiff

Dr. Sheldon J. Finkel  
Pro Se

(Dr. Finkel expressed that he would be filing his own report with the Court stating that Plaintiff was free to develop her own scheduling proposal.)

2. **Pre-Discovery Disclosures.** The parties will exchange by March 10, 2006 the information required by Fed. R. Civ. P. 26(a)(1).
3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:
  - a. Discovery will be needed on the following subjects:
    1. All information pertaining to Plaintiff's claims and damages.
    2. All information pertaining to Defendants' defenses.
  - b. All discovery commenced in time to be completed by June 2, 2006.

- c. There will be a maximum of 25 interrogatories by each party to any other party. The responses will be due 30 days after service.
- d. There will be a maximum of 30 requests for production of documents by each party to any other party. The responses will be due 30 days after service.
- e. There will be a maximum of 25 requests for admission by each party to any other party. Responses will be due 30 days after service.
- f. The parties agree that no more than 10 depositions may be taken by a party without leave of the court or agreement of the parties. Each deposition is limited to a maximum of 7 hours unless extended by agreement of the parties.
- g. Reports from retained experts under Rule 26(a)(2) will be due from Plaintiff by April 10, 2006, and from Defendants by May 10, 2006.
- h. Supplementation of the disclosures under Rule 26(e) will be due within 30 days before the end of the discovery period.

4. **Other items.**

- a. **Scheduling Conference**  
The parties do not request a conference with the court before entry of the scheduling order.
- b. **Pretrial Conference**  
The parties request a pretrial conference in August, 2006.
- c. **Additional Parties, Claims and Defenses**  
The parties must join additional parties and amend the pleadings by April 14, 2006.
- d. **Dispositive Motions**  
All potentially dispositive motions should be filed by May 9, 2006.
- e. **Settlement**  
Settlement and the possibility of mediation cannot be evaluated until some discovery is complete.
- f. **Trial Evidence**  
The final list of witnesses and trial evidence under Rule 26(a)(3) should be due three weeks before trial. The parties should have 10 days after service to list objections under Rule 26(a)(3).
- g. **Trial Date**

This case should be ready for trial by September 11, 2006, and at this time is expected to take approximately 2 days of trial time.

Date: February \_28\_, 2006

/s/ K. Anderson Nelms  
K. ANDERSON NELMS  
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ASB-6972-E63K

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